

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

Application Number

09/802,686

Filing Date

March 9, 2001

First Named Inventor

Gary VAN NEST

Group Art Unit

1635

Examiner Name

R. Schnizer

**RECEIVED**

JAN 30 2003

TECH CENTER 1600/2900

Attorney Docket No.

377882000900

### ENCLOSURES (check all that apply)

Fee Transmittal Form (original + 1 for fee processing (2 pages total))

Assignment Papers (for an Application)

After Allowance Communication to Group

Fee Attached

Drawing(s)

Appeal Communication to Board of Appeals and Interferences

Amendment / Reply

Licensing-related Papers

Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

After Final

Petition

Proprietary Information

Affidavits/declarations

Petition to Convert to a Provisional Application

Status Letter

Extension of Time Request

Power of Attorney, Revocation Change of Correspondence Address

Other Enclosure(s) (please identify below):

- Form PTO-1449 (original + copy (4 pages total))
- 27 References
- RCE
- Return Receipt Postcard

Express Abandonment Request

Request for Refund

Information Disclosure Statement (Supplemental) (3 pages)

CD, Number of CD(s) \_\_\_\_\_

Certified Copy of Priority Document(s)

Remarks

Response to Missing Parts/ Incomplete Application

Response to Missing Parts under 37 CFR 1.52 or 1.53



25225

PATENT TRADEMARK OFFICE

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Karen R. Zachow, Reg. No. 46,332 Morrison & Foerster LLP 3811 Valley Centre Dr., Suite 500 San Diego, CA 92130-2332
-------------------------	--

Signature	
Date	January 14, 2003

### CERTIFICATE OF MAILING BY "FIRST-CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box AF, Assistant Commissioner for Patents, Washington, D.C., 20231, on January 14, 2003.

Rhea Amid

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# FEES TRANSMITTAL FOR FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	09/802,686
Filing Date	March 9, 2001
First Named Inventor	Gary VAN NEST
Examiner Name	R. Schnizer
Group Art Unit	1635

*RECEIVED  
JAN 8 0 2003  
TECH CENTER 1600/2900*

## TOTAL AMOUNT OF PAYMENT

(\$430.00)

Attorney Docket No. 377882000900

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1952, ref 377882000900

Deposit Account Name Morrison &amp; Foerster LLP

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit Card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	740	201	370	Utility filing fee	
1002	330	206	165	Design filing fee	
1003	510	207	255	Plant filing fee	
1004	740	208	370	Reissue filing fee	
1005	160	214	80	Provisional filing fee	
SUBTOTAL (1) (\$0)					

## 2. EXTRA CLAIM FEES

Total Claims	- 20** =	Extra Claims	Fee from below	Fee Paid
15	- 20** =	0	x 9	= \$0
Independent Claims 2	- 3** =	0	x 42	= \$0
Multiple Dependent 140				= \$0
SUBTOTAL (2) (\$0)				

\*\* or number previously paid, if greater; For reissues, see above.

## 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	205	65	Surcharge - late filing fee or oath	
1052	50	227	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	139	130	Non-English specification	
1812	2,520	147	2,520	For filing a request for ex parte reexamination	
1804	920*	112	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
1251	110	215	55	Extension for reply within first month	55
1252	400	216	200	Extension for reply within second month	
1253	920	217	460	Extension for reply within third month	
1254	1,440	218	720	Extension for reply within fourth month	
1255	1,960	228	980	Extension for reply within fifth month	
1401	320	219	160	Notice of Appeal	
1402	320	220	160	Filing a brief in support of an appeal	
1403	280	221	140	Request for oral hearing	
1451	1,510	138	1,510	Petition to institute a public use proceeding	
1452	110	240	55	Petition to revive - unavoidable	
1453	1,280	241	640	Petition to revive - unintentional	
1501	1,280	242	640	Utility issue fee (or reissue)	
1502	460	243	230	Design issue fee	
1503	620	244	310	Plant issue fee	
1460	130	122	130	Petitions of the Commissioner	
1807	50	123	50	Petitions related to provisional applications	
1806	180	126	180	Submission of Information Disclosure Stmt	
8021	40	581	40	Recording each patent assignment per properties (times number of properties)	
1809	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	740	279	370	Request for Continued Examination (RCE)	375
1802	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$430)

## SUBMITTED BY

Complete if applicable

Name (Print/Type)	Karen R. Zachow, Patent Agent	Registration No. (Attorney/Agent)	46,332	Telephone	(858) 720-5191
Signature	<i>Karen R. Zachow</i>			Date	01/14/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

sd-127601

RCE

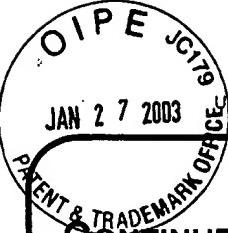
PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

JAN 27 2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/802,686	#15/RCD
Filing Date	3/9/2001	RECEIVED
First Named Inventor	Gary VAN NEST	JAN 8 2003
Group Art Unit	1635	TECH CENTER 1600/2000
Examiner Name	R. Schnizer	
Attorney Docket No.	377882000900	

This is a Request for continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on November 4, 2002  
*(Any unentered amendment(s) referred to above will be entered)*
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \*
  - iii.  Other:
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other: Petition for One-month extension of time with appropriate fee

## 2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.1039c for a period of \* months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b.  Other:

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to
  - Deposit Account No. 03-1952 referencing Docket No. 377882000900.
    - i.  RCE fee required under 37 C.F.R. § 1.17(e)
    - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - iii.  Other: IDS
- b.  Check in the amount of \$\* enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Karen R. Zachow	Registration No. (Attorney/Agent)	46,332
Signature	<i>Karen R. Zachow</i>	Date	01/14/03

## CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, on January 14, 2003.

*Rhea Amid*  
Rhea Amid

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

01/20/2003 EAREGAY1 0000C080 031952 09802636

01 FEB 2001

375.00 CH

sd-126871